

Application No. 10/723,658
Response to Final Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication of the allowability of the subject matter of claims 3, 7 and 11 is respectfully acknowledged.

These claims, however, have not been rewritten in independent form at this time since, as set forth in detail hereinbelow, it is respectfully submitted that their parent claim 1 also recites allowable subject matter.

THE CLAIMS

Claims 16-18 have been canceled, without prejudice.

THE PRIOR ART REJECTION

Claim 1 was rejected under 35 USC 102 as being anticipated by USP 5,765,769 ("Kaya"), and claim 15 was rejected under 35 USC 103 as being obvious in view of the combination of Kaya and US 2002/0036246 ("Togashi et al"). These rejections, however, are respectfully traversed.

According to the present invention as recited in claim 1, a jaw crusher is provided which comprises: a fixed jaw, a swing jaw

Application No. 10/723,658
Response to Final Office Action

Customer No. 01933

which swings relative to the fixed jaw, a reaction force receiver mechanism, and a toggle plate holder mechanism. As recited in claim 1, the reaction force receiver mechanism comprises: a toggle plate that is angled upward toward the swing jaw and includes a first end that contacts the swing jaw, and a toggle plate support member that contacts a second end of the toggle plate. And as recited in claim 1, the toggle plate holder mechanism holds the toggle plate between the swing jaw and the toggle plate support member, and comprises: a link member rotatably coupled to the swing jaw, and a biasing portion, which biases the swing jaw and the toggle plate support member to the toggle plate, and which is coupled to the toggle plate support member. According to the present invention as recited in claim 1, moreover, the reaction force receiver mechanism comprises an outlet clearance adjustment mechanism which moves the swing jaw with respect to the fixed jaw to adjust an outlet clearance between the jaws by adjusting a position of the toggle plate support member and the toggle plate.

Thus, according to the present invention as recited in claim 1, the toggle plate holder mechanism can be more freely disposed because it holds the toggle plate (61) with the link member (71). And in order to hold the toggle plate with the link member, a biasing portion (tension spring 74) provides a force biasing the swing jaw (36) and toggle plate support member (64)

Application No. 10/723,658
Response to Final Office Action

Customer No. 01933

toward each other. In particular, it is respectfully pointed out that according to the present invention as recited in claim 1, the link member (71) is rotatably coupled to the swing jaw (36), and the biasing portion (74) is coupled to the toggle plate support member (64).

As recognized by the Examiner, Kaya discloses jaws 1 and 11, a jaw toggle plate 22, a pitman 21 supporting the jaw toggle plate 22, a frame toggle plate 24 that also has an end supported by the pitman, and a toggle block 3 connected to the other end of the frame toggle plate 24. See Fig. 2 of Kaya. In the structure disclosed in Kaya, the clearance between the jaws 1 and 11 can be adjusted by moving the toggle block 3.

In the Final Office Action, the Examiner contends that the pitman 21 of Kaya corresponds to the link member of the claimed present invention, and that the frame toggle plate 24 corresponds to the biasing portion of the claimed present invention.

It is respectfully pointed out, however, that the pitman 21 of Kaya is provided separately from the jaw 11, and therefore clearly is not "rotatably coupled to the swing jaw" in the manner of the link member of the present invention as recited in claim 1.

In addition, it is respectfully pointed out that in the structure disclosed in Kaya the frame toggle plate 24 is part of the gap adjusting mechanism and does not provide a biasing force

Application No. 10/723,658
Response to Final Office Action

Customer No. 01933

to the jaw 11 and pitman 21. Therefore, it is respectfully submitted that the toggle plate 24 of Kaya is clearly not a biasing portion that "biases the swing jaw and the toggle plate support member to the toggle plate, and which is coupled to the toggle plate support member" in the manner of the present invention as recited in claim 1.

It is respectfully pointed out, moreover, that while the hydraulic cylinders 7a and 7b of Kaya appear to have a biasing function, they in fact do not bias the swing jaw to the toggle plate. And while the rod at the bottom of Fig. 2 of Kaya appears to have some function for holding the toggle plate 22 thereof in place, this rod also does not have the claimed structural features of the toggle plate support mechanism of the present invention as recited in claim 1.

In view of the foregoing, it is respectfully submitted that the present invention as recited in claim 1 and each of claims 3, 5, 7, 9, 11, 13 and 15 depending therefrom clearly patentably distinguishes over Kaya, taken singly or in combination with any of the other prior art of record, under 35 USC 102 as well as under 35 USC 103.

* * * * *

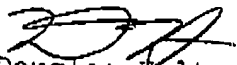
Allowance of all of the claims and the passing of this application to issue are respectfully solicited.

Application No. 10/723,658
Response to Final Office Action

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708e
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:iv